

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                                  |   |                                       |
|----------------------------------|---|---------------------------------------|
| IN RE:                           | ) | CASE NO.: 22-51468                    |
|                                  | ) |                                       |
| SARAH DONOHUE,                   | ) | ADVERSARY PROCEEDING NO. 23-05005     |
|                                  | ) |                                       |
| Debtor,                          | ) | CHAPTER 7                             |
|                                  | ) |                                       |
| _____                            | ) | JUDGE ALAN M. KOSCHIK                 |
|                                  | ) |                                       |
| SARAH DONOHUE,                   | ) |                                       |
|                                  | ) |                                       |
| Plaintiff,                       | ) | <u>ANSWER OF THE UNITED STATES OF</u> |
|                                  | ) | <u>AMERICA, ON BEHALF OF THE U.S.</u> |
|                                  | ) | <u>DEPARTMENT OF EDUCATION</u>        |
| v.                               | ) |                                       |
|                                  | ) |                                       |
| U.S. DEPARTMENT OF EDUCATION, et | ) |                                       |
| al.,                             | ) |                                       |
|                                  | ) |                                       |
| Defendants.                      | ) |                                       |

NOW COMES the United States of America, on behalf of its agency, the U.S. Department of Education (“Education”), by its attorney, Michelle M. Baeppler, First Assistant United States Attorney for the Northern District of Ohio, through Suzana K. Koch, Assistant U.S. Attorney, and for its answer to the Amended Complaint filed by Debtor/Plaintiff Sarah Donohue (the “Debtor”) states as follows:

1. Admitted.
2. Admitted.
3. Education admits that the Plaintiff is indebted to the United States on account of certain student loan borrowings. As of February 28, 2023, the balance owed by Plaintiff to the United States on these loans was \$26,991.02, consisting of \$26,602.53 in unpaid principal and \$388.49 in accrued interest.

4. Admitted.

5. Admitted.

6. Education denies knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph 6 of the Complaint, and therefore denies same.

7. Education denies knowledge or information sufficient to form a belief as to the truth or falsity of the allegations in paragraph 7 of the Complaint, and therefore denies same.

8. Education consents to entry of final orders or judgment by the Bankruptcy Court. Fed. R. Bankr. P. 7012(b).

Education denies any allegation not hereinbefore specifically admitted or denied.

#### AFFIRMATIVE DEFENSES

##### FIRST AFFIRMATIVE DEFENSE

1. Plaintiff has failed to state a claim upon which relief may be granted.

WHEREFORE the United States, on behalf of Education, prays that the Debtor's student loan liabilities to Education be determined to be nondischargeable.

Respectfully submitted,

MICHELLE M. BAEPPLE  
First Assistant United States Attorney  
Northern District of Ohio

By: /s/ Suzana K. Koch  
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CERTIFICATE OF SERVICE

I hereby certify that, on **March 3, 2023**, a true and correct copy of the foregoing *ANSWER OF THE UNITED STATES OF AMERICA, ON BEHALF OF THE U.S. DEPARTMENT OF EDUCATION* was served:

Via the court's Electronic Case Filing System on the U.S. Trustee and these entities and individuals who are listed on the court's Electronic Mail Notice List:

Suzana K. Koch on behalf of Department of Education at [suzana.koch@usdoj.gov](mailto:suzana.koch@usdoj.gov)  
Wayne Sarna on behalf of Plaintiff at [wsarna@communitylegalaid.org](mailto:wsarna@communitylegalaid.org)  
Marc P. Gertz on behalf of U.S. Trustee at [mpgertz@gertzrosen.com](mailto:mpgertz@gertzrosen.com)

I further certify that, on March 3, 2023 or on the next business day thereafter, a copy of the foregoing *ANSWER OF THE UNITED STATES OF AMERICA, ON BEHALF OF THE U.S. DEPARTMENT OF EDUCATION* was served by regular U.S. mail, postage prepaid, on:

/s/ Suzana K. Koch  
Suzana K. Koch (OH: 0073743)  
Assistant United States Attorney